



New South Wales

# Environmental Planning and Assessment Amendment (Sydney Region Growth Centres) Regulation 2006

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

FRANK SARTOR, M.P.,  
Minister for Planning

## Explanatory note

The object of this Regulation is to make provision with respect to the release of precincts for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region (including with respect to development assessment during the precinct planning process) in order to support *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 105.

**2006 No 417**

Clause 1 Environmental Planning and Assessment Amendment (Sydney Region Growth Centres) Regulation 2006

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**Environmental Planning and Assessment Amendment  
(Sydney Region Growth Centres) Regulation 2006**

under the

Environmental Planning and Assessment Act 1979

**1 Name of Regulation**

This Regulation is the *Environmental Planning and Assessment Amendment (Sydney Region Growth Centres) Regulation 2006*.

**2 Commencement**

This Regulation commences on the commencement of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

**3 Amendment of Environmental Planning and Assessment Regulation 2000**

The *Environmental Planning and Assessment Regulation 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendment

(Clause 3)

### Clauses 275 and 276

Insert after clause 274:

#### **275 Development assessment during precinct planning in North West and South West growth centres of Sydney Region**

- (1) Terms and expressions used in this clause and clause 276 have the same meaning they have in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the **Growth Centres SEPP**).
- (2) Pursuant to section 78A (1) of the Act, a person cannot apply to a consent authority for consent to carry out development of a kind referred to in subclause (3) on land within a precinct of a growth centre that the Minister has declared under clause 276 to be released for urban development unless the application is accompanied by an assessment of the consistency of the proposed development with the relevant growth centre structure plan.
- (3) Subclause (2) applies to the carrying out of development (not being for a single residential dwelling):
  - (a) with a capital investment value of more than \$500,000, or
  - (b) in respect of an area of land of more than 2 hectares, or
  - (c) that is a subdivision of land (being a subdivision that creates 2 or more lots).
- (4) This clause ceases to apply to land after environmental planning provisions relating to the land have been included in Schedule 1 to the Growth Centres SEPP.

**Note.** After the release of a precinct for urban development and the completion of the planning process for the precinct, detailed land use and other development controls for the land will be included in Schedule 1 to the Growth Centres SEPP. A draft of those detailed provisions placed on public exhibition will be a draft amending environmental planning instrument and, accordingly, will be required by section 79C of the Act to be taken into consideration by a consent authority in determining any development application relating to the land concerned.

#### **276 Growth Centres SEPP—release of precinct for urban development and planning process for the precinct**

- (1) The Minister may, for the purposes of the Growth Centres SEPP, declare any precinct (or part of a precinct) to be released for urban development. The declaration is to be published in the Gazette and in such other manner as the Minister determines.

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Schedule 1      Amendment

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- (2) The Minister is to make arrangements for the following:
  - (a) the preparation of a development code that provides guidelines (in conjunction with the relevant growth centre structure plan) to assist environmental planning in precincts released for urban development,
  - (b) the preparation of an infrastructure plan relating to the infrastructure requirements of the growth centres.
- (3) The Minister is to consult the Growth Centres Commission, relevant councils and such public authorities as the Minister considers appropriate about the making of declarations and arrangements under this clause.

BY AUTHORITY

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